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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

application of: Eisremann et al.

Serial No.: 10/774,157

Filed: February 6, 2004

For:

Articular Disc Prosthesis For Anterior-Oblique

Insertion

Group Art Unit: 3738

Confirmation No.: 7280

Examiner: Unknown

## FOURTH INFORMATION DISCLOSURE STATEMENT

## Mail Stop Amendment

Commissioner For Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 CFR §1.97 and §1.98, the Examiner's attention is directed to the document listed on the enclosed modified Form PTO-1449. No inference should be made that the cited reference is in fact material, are in fact prior art, or that no better art exists. A copy of the cited reference is enclosed.

This Information Disclosure Statement is being filed within three months of the United States filing date or before the mailing date of a first Office Action on the merits. No certification or fee is required (37 CFR §1.97(b)).

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account 08-1394.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Respectfully submitted,

David M. O'Dell

Registration No. 42,044

Date: 1-3-06
HAYNES AND BOONE, LLP

901 Main Street, Suite 3100 Dallas, Texas 75202-3789 Telephone: 972-739-8635

Facsimile: 214-200-0853

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on \_\_\_\_\_/- 3 - O C

Bonnie Boyle

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Substitute for form 1449/PTO	Complete if Known			
Substitute for form 1445/1110	Application Number	10/774,157		
INFORMATION DISCLOSURE	Filing Date	February 6, 2004		
STATEMENT BY APPLICANT	First Named Inventor	Eisermann et al. 3738		
(Use as many sheets as necessary)	Art Unit			
(Use as many sneets as necessary)	Examiner Name	unknown		
Sheet 1 of 1	Attorney Docket Number	31132.123 (PC888.00)		

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	miner   Cite   Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title		of T <sup>2</sup>			
	A1	T. HOOGLAND et al., "Total Lumbar Intervertebral Disc Replacement: Testing of a New Articulating Spacer in Human Cadaver Spines," 24th Annual ORS, February 21-23, 1978, page 102, Dallas, Texas				
****						

Examiner	Date	
Signature	Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the complete the form and of the complete th